

## **REMARKS**

### **I. Introduction**

With the cancellation of claims 15 and 16, claims 12-14 and 17-23 are pending in the present application. Claims 12-23 were rejected. Claim 12 has been amended. In view of the foregoing amendments and following remarks, it is respectfully submitted that pending claims 12-14 and 17-23 are allowable, and reconsideration is respectfully requested.

Applicants appreciate the acknowledgement of the claim for foreign priority and the indication that all certified copies of the priority documents have been received.

A copy of the document WO 00 49423 cited in the form PTO-1449 filed on June 6, 2005 is enclosed with this amendment.

### **II. Rejection of Claims 12 to 23 under 35 U.S.C. § 102(e)**

Claims 12 to 23 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent Application Publication No. 2004/0234012 ("Rooyen"). Applicants respectfully submit that this rejection should be withdrawn for at least the following reasons.

Claim 12 has been amended to incorporate the features of claims 15 and 16 (which are now canceled). Amended claim 12 recites, in relevant parts, a device for measuring angular positions using radar pulses and mutually overlapping antenna beam characteristics, which device includes **"a 180° hybrid phase setting element to connect the at least two antenna elements," and "a transfer switch arranged at an output of the 180° hybrid phase setting element for evaluating a composite beam and a differential beam of at least two antenna elements via a mixer in time-division multiplexing."**

Rooyen describes a method and associated system for processing a plurality of replicas of a signal in a signal processing chain. However, Rooyen does not disclose, or even suggest, a 180° hybrid phase setting element to connect the at least two antenna elements, or a transfer switch arranged at an output of the 180° hybrid phase setting element for evaluating

a composite beam and a differential beam of at least two antenna elements via a mixer in time-division multiplexing. Accordingly, it is respectfully submitted that claim 12 is not anticipated by Rooyen for at least these reasons.

As mentioned above, claims 15 to 16 have been canceled, thereby rendering moot the rejection with respect to these claims.

As for claims 13, 14 and 17 to 23, which ultimately depend from claim 12 and therefore include all of the features of claim 12, it is respectfully submitted that Rooyen does not anticipate claims 13, 14 and 17 to 23 for at least the reasons set forth above in support of the patentability of claim 12.

In view of all of the foregoing, removal of this rejection is respectfully requested.

### **III. Rejection of Claims 12 to 23 under 35 U.S.C. § 102(b) (“Acampora”)**

Claims 12 to 23 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 4,232,266 (“Acampora”). As mentioned above, claims 15 to 16 have been canceled, thereby rendering moot the rejection with respect to these claims. Applicants respectfully submit that this rejection should be withdrawn for at least the following reasons.

Acampora describes a method and associated apparatus for sharing a fixed number of identical transponders among a same or greater number of input and output signaling directions. However, Acampora does not disclose, or even suggest, an evaluation unit to jointly evaluate signals received from at least two antenna elements. Element 42<sub>1</sub> of Acampora, which the Office Action equates with the “evaluation unit” of claim 12, does not refer to an evaluation unit, but rather a combiner circuit. In addition, Acampora does not disclose, or even suggest, a 180° hybrid phase setting element to connect the at least two antenna elements, or a transfer switch arranged at an output of the 180° hybrid phase setting element for evaluating a composite beam and a differential beam of at least two antenna

elements via a mixer in time-division multiplexing. Accordingly, it is respectfully submitted that claim 12 is not anticipated by Acampora for at least these reasons.

As for claims 13, 14 and 17 to 23, which ultimately depend from claim 12 and therefore include all of the features of claim 12, it is respectfully submitted that Acampora does not anticipate claims 13, 14 and 17 to 23 for at least the reasons set forth above in support of the patentability of claim 12.

In view of all of the foregoing, removal of this rejection is respectfully requested.

#### **IV. Rejection of Claims 12 to 23 under 35 U.S.C. § 102(b) (“MacDonald”)**

Claims 12 to 23 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 4,686,533 (“MacDonald”). As mentioned above, claims 15 to 16 have been canceled, thereby rendering moot the rejection with respect to these claims. Applicants respectfully submit that this rejection should be withdrawn for at least the following reasons.

MacDonald describes an apparatus for introducing phase delays to a signal. However, MacDonald does not disclose, or even suggest, an evaluation unit to jointly evaluate signals received from at least two antenna elements. Element 26 of MacDonald, which the Office Action equates with the “evaluation unit” of claim 12, does not refer to an evaluation unit, but rather a combiner. In addition, MacDonald does not disclose, or even suggest, a 180° hybrid phase setting element to connect the at least two antenna elements, or a transfer switch arranged at an output of the 180° hybrid phase setting element for evaluating a composite beam and a differential beam of at least two antenna elements via a mixer in time-division multiplexing. Accordingly, it is respectfully submitted that claim 12 is not anticipated by MacDonald for at least these reasons.

As for claims 13, 14 and 17 to 23, which ultimately depend from claim 12 and therefore include all of the features of claim 12, it is respectfully submitted that MacDonald

does not anticipate claims 13, 14 and 17 to 23 for at least the reasons set forth above in support of the patentability of claim 12.

In view of all of the foregoing, removal of this rejection is respectfully requested.

V. **CONCLUSION**

In view of all of the above, it is respectfully submitted that all of the presently pending claims 12-14 and 17-23 are in allowable condition. Prompt reconsideration and allowance of the application are respectfully requested.

Respectfully submitted,

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